



UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

IN RE

MARIETTA INDUSTRIAL ENTERPRISES, INC.,

Civil Action No. 3:06-0683

Appellant,

v.

Hon. Robert C. Chambers

AMERICAN ALLOYS, INC.

Appellee.

AGREED ORDER DISMISSING APPEAL

On this day the Court considered the joint motion of the parties, Marietta Industrial Enterprises, Appellant, and American Alloys, Inc., Appellee, pursuant to Rule 8001(c)(2) of the Federal Rules of Bankruptcy Procedure asking this Court to dismiss the above styled Appeal as part of a settlement and compromise between them as set forth in their motion.

For the grounds and reasons set forth in the motion and this Court finding that the requested relief is otherwise proper, it is hereby

ORDERED that the parties' joint motion is granted. It is further

ORDERED that the Appeal is hereby dismissed and the Clerk is directed to remove the matter from the Court's docket.

Enter: 9/25/06


Honorable Robert C. Chambers

Agreed to by:

/s/ Robert O. Lampl with consent

Robert O. Lampl, Esq. (PA #19809)
John P. Lacher, Esq. (PA #62297)
960 Penn Avenue, Suite 1200
Pittsburgh, PA 15222
Telephone: 412-392-0330
Telefax: 412-392-0335

/s/ Suzanne Jett Trowbridge

Suzanne Jett Trowbridge, Esq. (#4261)
Raymond S. Franks, Esq. (#6523)
Goodwin & Goodwin, LLP
300 Summers Street, Suite 1500
Charleston, WV 25301
Telephone: 304-346-7000
Telefax: 304-344-9692